

**IN THE HIGH COURT OF JUDICATURE  
ANDHRA PRADESH  
AT HYDERABAD**

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**THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO**

**WP No. 16180 of 2007**

Between :

Medisetty Suryanarayana  
And three others .. Petitioners

And

Greater Visakhapatnam Municipal  
Corporation rep. By its Commissioner,  
Visakhapatnam and three others .. Respondents

**Dated : 27<sup>th</sup> July 2007**

**JUDGMENT :**

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Heard learned counsel for the writ petitioners and Sri N.Ranga Reddy, learned Standing Counsel for the 1<sup>st</sup> respondent – Municipal Corporation and learned Government Pleader for Revenue for the respondents 2, 3 and 4 and with their consent, the writ petition itself is disposed of at the admission stage.

The writ petitioners 4 in number have asserted that that the State Government's Revenue administration in terms of Board Standing Order No. 21 has granted them a house site patta in land situated at Sy. No. 98 P & 110 P situated at Naramanipalem, H/o Pulagalipalem village, Pendurthy Mandal, Visakhapatnam District and that the writ petitioners have been in occupation and possession of the

house site from the year 1992 onwards and that they have also constructed residential houses thereon and they are living there. But, however, the writ petitioners assert that the Greater Municipal Corporation of Visakhapatnam has undertaken a drive of demolition of such houses and without any notice started demolishing the houses in and around the locality and hence the writ petitioners being apprehensive that the 1<sup>st</sup> respondent might also demolish their dwelling units have instituted this writ petition seeking the following relief :

“For the reasons stated in the accompanying affidavit the petitioner herein pray that this Hon’ble Court may be pleased to issue a writ of Mandamus, or any other appropriate writ, order or direction, declaring the action of the respondent officials in trying to demolish the houses of the petitioners and dispossession of the petitioners from their houses constructed over their respective plots bearing No Plot No. 98, 47, 162 & 178 situated at Sy. No. 98P & 110P situated at Naramanipalem, H/o Pulagalipalem village, Pendurthy Mandal, Visakhapatnam District as illegal, arbitrary and discriminatory offending Article 14 and 19 of the Constitution of India and further direct the respondents not to interfere with the ownership and possession and enjoyment of the petitioners over their land and grant such other relief or relief’s as this Hon’ble Court may deem fit and proper in the circumstances of the

case.

It is not in dispute that either without canceling the house site patta granted in favour of the writ petitioners or by acquiring the land in question, the writ petitioners cannot be dispossessed from the house site granted to them by way of patta by the Revenue administration of the State Government. Therefore, the respondents are directed that without following the due process under law the writ petitioners be not dispossessed from out of the land over which house site pattas granted in their favour on 20.12.1991.

With the direction as above, the writ petition stands disposed of. No costs.

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27.07.2007

Note:

Operative portion by wire  
at party's costs

(b/o)

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